

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33410 of 2008
SHANKAR SINGH
Versus
STATE OF BIHAR

2 27.8.2008 It appears from the impugned order dated 20.6.2008 of the Sessions Judge that a fresh prayer for anticipatory bail was made on the ground that the parties have compounded their differences and had filed a compromise petition in the court below.

The prayer for anticipatory bail was rejected on the ground that it had been earlier rejected both by Sessions Court as also by the High Court and that the offences alleged were not compoundable.

The filing of a compromise petition and compounding of the offence in my opinion cannot be a fresh ground for entertaining the application for anticipatory bail a second time when once it is permitted to be dismissed as withdrawn.

The petitioner is directed to surrender in the court below and seek regular bail in the light of the alleged compromise arrived at between the parties.

In the event of such a prayer being made the learned court below will take into consideration the nature of injuries sustained by the prosecution party as also the compromise petition and pass order in accordance with law.

With the aforesaid observation this application is dismissed.

Spd/-

(Abhijit Sinha, J.)